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NB

Appl. No. 10/078,043  
Atty. Docket No. 8431M  
Reply Dated November 12, 2003  
Reply to Office Action of August 12, 2003  
Customer No. 27752

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Att. Robinson 43,348  
Attorney Name Registration No.  
Signature of Attorney  
*Tom Robinson*

Case 8431M

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of ::  
Vladimir Gartstein, et al. :: Confirmation No. 4983  
Serial No. 10/078,043 :: Group Art Unit 3739  
Filed February 19, 2002 :: Examiner M. F. Peffley  
For: METHOD AND APPARATUS FOR THE IN-VIVO TREATMENT OF  
PATHOGENS  
RESPONSE

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of August 12, 2003, Applicants agent hereby respectfully requests further examination and reconsideration in view of the following amendments and remarks.

In the claims, please amend the claims according to the entire set of pending claims beginning on page 2 of this paper.

Please consider the remarks and arguments beginning on page 6 of this paper.

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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8****OFFICIAL**

**TO:** Commissioner of Patents  
United States Patent and Trademark Office  
**ATTN: EXAMINER M. F. PEFFLEY**  
Fax No. (703) 872-9302  
Phone No. (703) 308-4305

*I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on November 12, 2003, to the above-identified facsimile number.*

Ian Robinson (Signature)

**FROM:** Ian S. Robinson  
Fax No. (513) 626-3499  
Phone No. (513) 626-3356

Listed below are the item(s) being submitted with this Certificate of Transmission:\*\*

- 1) Response/Amendment Transmittal Sheet  
(original + 1 copy)
- 2) Response (11 pages)

Number of Pages Including this Page: 14

Inventor(s): Gartstein, et al.

S.N.: 10/078,043

Confirmation No.: 4983

Filed: February 19, 2002

Case: 8431M

Comments:

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Mail Stop Non-Fee Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

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NOV 12 2003

Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

Application No. : 10/078,043  
Applicant(s) : Gartstein, et al.  
Filed : February 19, 2002  
Title : Method and Apparatus for the In-Vivo Treatment of Pathogens  
TC/A.U. : 3739  
Examiner : M. F. Peffley  
Conf. No. : 4983  
Docket No. : 8431M  
Customer No. : 27752

**OFFICIAL**

1. ☒ No additional fees (claims fees or extension fees) are known to be required.
2. ☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	* 20	MINUS	** 20	=	x \$18 =	\$
INDEP.	* 3	MINUS	*** 4	=	x \$86 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$290 =	\$
					TOTAL	\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.

\*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3. ☐ The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$ for a -month extension of time.
4. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
  - a. ☒ Any patent application processing fees under 37 CFR §1.16.
  - b. ☒ Any patent application processing fees under 37 CFR §1.17.
5. The Director is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

Date: 11/12/03

Customer No. 27752

(Transamd.doc - last revised 10/14/2003)

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